

*Minutes of the*

**Virginia Land Conservation Foundation Board of Trustees  
Tuesday, August 12, 2003**

**Dorey Recreational Center  
Henrico County, Virginia**

**Virginia Land Conservation Foundation Board of Trustees Members Present**

W. Tayloe Murphy, Jr., Chairman  
Stephen A. Bennett  
Terri Cofer Beirne  
Albert Essel  
T. Rod Layman  
The Honorable Patricia S. Ticer

R. Brian Ball  
Alexandra Liddy Bourne  
Wendell P. Ennis  
William A. Forrest, Jr.  
William M. Park, Jr.  
Albert C. Weed, III

**Virginia Land Conservation Foundation Board of Trustees Members Not Present**

Michael Edward Belefski  
Gregory C. Evans  
David H. Turner

Clements T. Berezowski  
Frederick W. Green, III

**Foundation Executive Staff Present**

Joseph H. Maroon, Executive Secretary

**Commonwealth of Virginia Staff Present**

James C. Adams, DGIF  
Timothy J. Bishton, DCR  
John M. Carroll, DOF  
David C. Dowling, DCR  
John R. Davy, DCR  
Jeffrey Madden, VMRC  
Thomas L. Smith, DCR

Leon E. App, DCR  
T. Robins Buck, VDACS  
Linda J. Cox, DCR  
Michael R. Fletcher, DCR  
Frederick S. Fisher, OAG  
Pamela Mason, VIMS  
Leslie Trew, VOF

**Call to Order**

Secretary Murphy called the meeting to order and thanked members for coming. He welcomed new members. A quorum was declared present.

**Welcome and Introductions**

Members were asked to introduce themselves.

Secretary Murphy said that the importance of the Virginia Land Conservation Foundation is that it has the most comprehensive responsibility and ambition with regard to land conservation.

Secretary Murphy called on Mr. Maroon to give an overview of the Virginia Land Conservation Foundation.

The Virginia Land Conservation Foundation has seen significant changes since its inception in 1992. Since that time, the Foundation has experienced a name change from the Virginia Conservation and Recreation Foundation to the Virginia Land Conservation Foundation, it has seen a significant expansion and improvement to its Code authority, and it has launched a successful grants program. In 2000, the Foundation saw its Board of Trustees grow from 9 members to 18 members.

Additional historical background regarding the Virginia Land Conservation Foundation is available from the Department of Conservation and Recreation.

Mr. Forrest asked for a clarification of funding to come to the Virginia Land Conservation Foundation from the registration fee assessed with vehicle license registration.

Ms. Bourne asked what percentage of the funds DMV would take.

Mr. Maroon noted that at this time the DMV percentage for administration is unknown. However, DCR anticipates that as much as \$1 million could be provided for land conservation.

Secretary Murphy said that there has been considerable discussion regarding the establishment of permanent funding for land conservation. He asked members to support future efforts to establish a permanent source of funding.

Senator Ticer noted that Maryland has dedicated funds for natural resources.

Secretary Murphy said that most of the funding in Maryland comes from the recordation tax. He said that there have been previous efforts to use a portion of Virginia's recordation tax, but those funds are currently targeted to other programs.

Secretary Murphy noted that the Governor has appointed a natural resources funding commission to look at these issues.

**Minutes of June 12, 2002 Meeting**

Mr. Bennett noted that he was not at the June 2002 meeting and did not second the motion attributed to him. Minutes were corrected to show that Mr. Berezowski seconded the motion.

MOTION: Senator Ticer moved that the minutes of the June 12, 2002 meeting be approved as corrected.

SECOND: Mr. Park

DISCUSSION: None

VOTE: Approved as amended.

**Bylaws Updates**

Secretary Murphy called on Leon App to present necessary changes in the by-laws.

Mr. App noted that the majority of these changes are necessitated by changes in the Code of Virginia.

MOTION: Mr. Forrest moved that the amendments to the Bylaws be approved as submitted by staff.

SECOND: Senator Ticer

DISCUSSION: Ms. Beirne asked about the change regarding the required number of meetings.

Mr. App noted that this change was to make the Bylaws consistent with the *Code of Virginia*.

Ms. Bourne asked how the frequency of meetings was determined.

Secretary Murphy said that the frequency of meetings largely depends on funding. Without a dedicated source of funding the mission of the VLCF is limited.

VOTE: The changes to the Bylaws were approved as submitted.

### **Orientation from the Office of the Attorney General**

Mr. Frederick Fisher, Office of the Attorney General gave an overview of the requirements of the Virginia Conflict of Interest Act and the Virginia Freedom of Information Act.

Members were provided copies of the acts in their board notebooks.

### **Financial Report**

Mr. Bishton presented the financial report of the foundation. A copy of the report is attached as Attachment #1.

Mr. Maroon noted that the reversion to the general fund of the balance of \$313,255 was a result of the Governor's budget cuts.

### **Grant Status Report**

Mr. Davy gave an overview of project status. A copy of the project status list is available from the Department of Conservation and Recreation.

Mr. Davy presented staff recommended motions.

MOTION: Senator Ticer moved that the Virginia Land Conservation Foundation grant the Department of Game and Inland Fisheries the amount of \$29,430 toward expenses with the purchase of the Big Survey Tract from the \$50,000 earmarked by the Foundation for this purpose and that further, the remaining balance of \$20,570 be re-directed as undesignated in the Foundation Fund.

SECOND: Mr. Ball

DISCUSSION: None

VOTE: Motion carried unanimously.

MOTION: Senator Ticer moved that the Virginia Land Conservation Foundation authorize the re-direction of grants funds as follows:

The residual amount of \$643 from the Palmyra Lock and Mill Site grant not spent by the Fluvanna Historical Society and the \$975 remaining from the Fort Christiana Preservation Project grant by Brunswick County be re-directed as undesignated in the Foundation Fund and the subject grants be declared closed:

SECOND: Mr. Park

DISCUSSION: None

VOTE: Motion carried unanimously.

### **Technical Presentation on Protected Lands Layer and Conservation Sites**

Mr. Smith gave the technical presentation on protected lands layer and conservation sites. He gave an overview of the Virginia Conservation Lands Inventory and Needs Assessment (VCLNA).

Last year DCR launched the Office of Land Conservation to serve as a resource to land trusts and make information readily available.

- Conservation Sites are mapped boundaries that enclose one or more rare plant, animal, or natural community and the surrounding habitat or buffer necessary to protect the resources.
- Each site is given a biodiversity significance rank based on the rarity, quality and number of resources they contain.
- Both terrestrial and aquatic sites have been digitally mapped.
- The primary VCLNA tool for the Foundation to use in evaluating land conservation proposals – how does one property stack up against another

Ms. Bourne commended the Department for the creation of the database.

### **FY04 Budget Request**

Mr. Maroon presented the FY04 Budget request.

MOTION: Senator Ticer moved that in the furtherance of the mission of the Foundation, that \$135,000 from the interest accrued to the Foundation Fund be allocated and made available to the Department of Conservation and Recreation to cover the administrative costs to continue those actions presented in the proposed budget for fiscal year 2004.

SECOND: Mr. Layman.

DISCUSSION: None.

VOTE: Motion carried unanimously.

Mr. Ball asked if there were pending applications for funding easements.

Mr. Maroon noted that there were none at this point because no funds have been appropriated.

### **Update on Governor's Natural Resources Summit**

Secretary Murphy gave an overview of the Governor's Natural Resources Summit held in April in Williamsburg. Approximately 150 individuals from across the state convened to offer different perspectives on natural resources.

Consensus of the Summit was that there is a real problem with lack of resources for conservation in Virginia. Virginia ranks 50<sup>th</sup> among states in terms of natural resources funding.

The Governor has adopted an initial "Natural Resources Partnership Agenda." Copies of the agenda are available from the Department of Conservation and Recreation.

The Governor has appointed a Commission on Natural Resources Funding and will consider recommendations as to whether he wants to make that part of his legislative agenda.

Mr. Maroon reviewed the Natural Resources Partnership Agenda.

MOTION: Senator Ticer moved that the Virginia Land Conservation Foundation endorse the Natural Resources Partnership Agenda.

SECOND: Mr. Ball.

DISCUSSION: None.

VOTE: Motion carried unanimously.

### **Agency Updates**

#### ***Department of Agriculture and Consumer Services (VDACS)***

T. Robins Buck delivered greetings from Commissioner Courter.

VDACS is very near to releasing a final draft of a state farmland preservation model. The farmland preservation task force has been meeting regularly.

#### ***Department of Forestry***

John Carroll represented the Department of Forestry.

Mr. Carroll noted that Virginia is fortunate to have the federally funded Forest Legacy Program. Forestry has just completed the acquisition of the Sandy Point Tract. We have just completed the acquisition of the sandy point tract. Virginia will be awarded 4 million dollars in forest legacy funds.

***Department of Game and Inland Fisheries (DGIF)***

James Adams reported on DGIF successes. DGIF has acquired the following tracts:

Dike III, Orange County	Dike III, Fishing Access
Guard Shore, Accomack County	Guard Shore (managed with Saxis Wildlife Management Area)
Beasley Tract, City of Virginia Beach	Addition to Princess Anne Wildlife Management Area.
Johnson Marsh, Chesterfield County	Johnson Creek Marsh
Dismal Swamp WMA, City of Chesapeake	Great Dismal Swamp Wildlife Management Area.

***Department of Historic Resources***

Not represented

***Marine Resources Commission***

Jeffrey Madden gave greetings from Commissioner Pruitt. Marine Resources is not in the land acquisition business, but manages submerged land, and meadow and marsh land along the eastern shore.

***Virginia Outdoors Foundation***

Leslie Trew offered greetings from Tamara Vance and VOF Chairman Frank Kilgore.

The Virginia Outdoors Foundation is a statewide land trust administered by a Board of Trustees. The primary tool used involves voluntary conservation easements.

Last year the VOF received over 37,000 acres and currently holds about 215,000 acres in open space easements.

***Virginia Institute of Marine Science (VIMS)***

Pamela Mason represented VIMS and noted that VIMS does not acquire land, except for the National Estuarine Research Reserve System. She offered to answer member questions.

***Department of Conservation and Recreation DCR)***

Joe Maroon noted that since the last meeting the General Obligation Bond passed by an overwhelming majority of the voters.

Mr. Maroon directed members attention to the new Virginia State Agency Land Conservation brochure which has been distributed across the Commonwealth.

***Department of Environmental Quality***

A written DEQ report was provided in member packets.

**Public Comment**

There was no public comment.

**Adjourn**

There being no other business the meeting was adjourned.

Respectfully submitted,

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W. Tayloe Murphy, Jr.  
Chairman

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Joseph H. Maroon  
Executive Secretary

## ATTACHMENT #1

**VIRGINIA LAND CONSERVATION FOUNDATION  
BALANCE SHEET  
JUNE 30, 2003**

**ASSETS  
CASH**

FY00 Appropriations	\$1,750,000
FY01 Appropriations	\$9,600,000
FY01 Reversion to General Fund	(\$791,464)
FY03 Reversion to General Fund	(\$313,255)
FY00 Grant Project Payments	(\$1,323,969)
FY01 Grant Project Payments	(\$2,290,764)
FY01 Battlefield Payments	(\$3,382,005)
FY01 Open Space Preservation (VOF) Payments	(\$1,550,000)
Interest Earned	\$733,357
Donations	\$70
Administrative Expenses FY01	(\$83,633)
Administrative Expenses FY02	(\$117,790)
Administrative Expenses FY03	(\$99,280)

TOTAL CASH \$2,131,267

TOTAL ASSETS \$2,131,267

**LIABILITIES**

**EQUITY**

Reserved Funds	\$1,698,543
Unreserved Funds	\$432,724

TOTAL EQUITY \$2,131,267

TOTAL LIABILITIES AND EQUITY \$2,131,267

**VIRGINIA LAND CONSERVATION FOUNDATION  
INCOME STATEMENT  
JUNE 30, 2003**

FUND BALANCE \$3,034,636

**INCOME**

FY03 Appropriations	\$0
Donations	\$0
Interest Earned	\$101,741

TOTAL INCOME \$101,741

**DISBURSEMENTS**

FY00 Project Disbursements	\$286,000
FY01 Project Disbursements	\$306,575
Reversion to the General Fund	\$313,255
Administrative Expenses	\$99,280

TOTAL DISBURSEMENT \$1,005,110

NET OPERATIONS – FY03 (\$903,369)

FUND BALANCE – JUNE 30, 2003 \$2,131,267